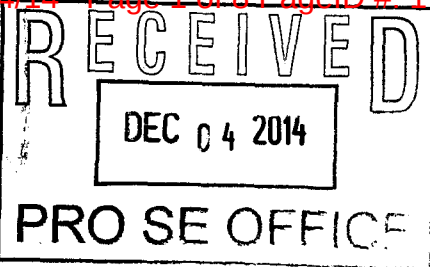


ORIGINAL



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Kiesha John

COMPLAINT

NAME OF PLAINTIFF(S)

CV 14-7156

v.

SCO Family of
Services

NAME OF DEFENDANT(S)

BLOOM, M.J.

This action is brought for discrimination in employment pursuant to (check only those that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

NOTE: *In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.*

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: *In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117 (amended by the ADA Amendments Act of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: *In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.*

Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under New York law.

1. Plaintiff resides at:

34 North 6th Street S4J
Street Address
Kings, NY, 11249, 318-344-7656
County State Zip Code Telephone Number

2. Defendant(s) resides at, or its business is located at:

1 Alexander Place
Street Address
Nassau, Glen Cove, NY, 11542
County City State Zip Code

3. The address at which I sought employment or was employed by the defendant(s) is:

1 Alexander Place
Street Address
Nassau, Glen Cove, NY, 11542
County City State Zip Code

4. The discriminatory conduct of which I complain in this action includes
(check only those that apply).

☐ Failure to hire.
☐ Termination of my employment.
☒ Failure to promote.
☐ Failure to accommodate my disability.
☒ Unequal terms and conditions of my employment.
☒ Retaliation
☐ Other acts (specify): _____

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

5. It is my best recollection that the alleged discriminatory acts occurred on:
June 2012, Oct 2012, 10/1/2013
 Date(s)

6. I believe that the defendant(s) (check one)

☒ is still committing these acts against me.
☐ is not still committing these acts against me.

7. Defendant(s) discriminated against me based on my:
 (check only those that apply and state the basis for discrimination, for example,
 what is your religion, if religious discrimination is alleged)

☒ race black ☐ color _____
☐ gender/sex _____ ☐ religion _____
☐ national origin _____
☐ disability _____
☐ age. If age is checked, answer the following:

I was born in _____. At the time(s) defendant(s) discriminated against me,
 Year

I was ☐ more ☐ less than 40 years old. (check one).

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

8. The facts of my case are as follows:

In June 2012 my colleague in my department went to the CFO - Johanna DeMaya to make a complaint against be treated unfairly due to her race. The CFO decided to call me in to a meeting to ask if I was being treated the same way and I said "Yes". We were the only two black employees in the A/R department at the time. Since then she was fired 3 months later and I was denied promotion 3 times and was retaliated against.

(Attach additional sheets as necessary)

NOTE: As additional support for your claim, you may attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights.

9. It is my best recollection that I filed a charge with the New York State Division of Human Rights or the New York City Commission on Human Rights regarding defendant's alleged discriminatory conduct on: _____
Date

10. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: December 2013
Date

Only litigants alleging age discrimination must answer Question #11.

11. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

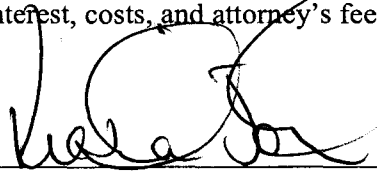
_____ 60 days or more have elapsed.
_____ less than 60 days have elapsed.

12. The Equal Employment Opportunity Commission (*check one*):

_____ has not issued a Right to Sue letter.
☒ has issued a Right to Sue letter, which I
received on 09/05/2014.
Date

NOTE: Attach a copy of the Right to Sue Letter from the Equal Employment Opportunity Commission to this complaint.

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, pre-judgment interest, costs, and attorney's fees.


PLAINTIFF'S SIGNATURE

Dated: 12/4/2014

34 North 6th Street 505
Address
Brooklyn NY 11249
718-344-7656
Phone Number

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office
33 Whitehall Street, 5th Fl
New York, N.Y. 10004

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

Robert Vadnais, Esq.
Attorney at Law
734 Walt Whitman Road, Suite 103
Melville, NY 11747



1174732216 0005



EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Keisha John**
34 North 6th Street, Apt. S4J
Brooklyn, NY 11249

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

16G-2014-01091

Holly M. Woodyard,
State & Local Program Manager

(212) 336-3643**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

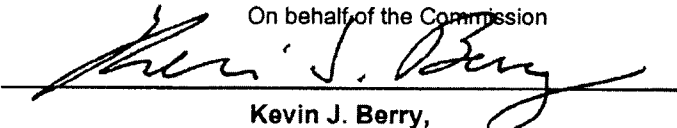
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)


Kevin J. Berry,
District Director

September 5, 2014

(Date Mailed)

cc:

SCO FAMILY OF SERVICES
Attn: President / CEO
1 Alexander Place
Glen Cove, NY 11542

Robert Vadnais, Esq.
Attorney at Law
734 Walt Whitman Road, Suite 103
Melville, NY 11747

Enclosures(s)

cc:

Ana C. Shields, Esq.
Jackson Lewis, PC
58 South Service Road, Suite 410
Melville, NY 11747